HONOURABLE SRI JUSTICE D.S.R.VARMA

AND

HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.11067 OF 2006

Dated:15.06.2006

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Thothukolla Gangulamma

…Petitioner

The Station House Officer, City Crime Station,

Kadapa, Kadapa District and two others.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA

AND

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ORAL ORDER: *(per Hon'ble Sri Justice D.S.R.Varma)*

Heard the learned Assistant Government Pleader, representing the

learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a fax message, dated 02.06.2006, sent to this Court by one Thothukolla Gangulamma, alleging illegal detention of the persons viz., (1) T.Sudhakar, (2) T.Narasimhulu, (3) Eswaramma and (4) T.Saroja by the Police of Central Crime Station, Kadapa, Kadapa District.

3. Upon receipt of notice from this Court, the first respondent-Inspector of Police, Central Crime Station, Kadapa, filed counter-affidavit, *inter alia,* stating that the alleged detenues 2 to 4 have been apprehended in connection with Crime No.58 of 2006, for the offence punishable under Section-379 of Indian Penal Code, by the Police of I Town Police Station, Kadapa, on 31.05.2006 and they were produced before the I Additional Judicial Magistrate of First Class, Kadapa, on 01.06.2006; that upon such production of the alleged detenues, the Magistrate remanded them to judicial custody initially for a period of 15 days and as of now they are lodged in Central prison, Kadapa.

4. In respect of alleged detenue No.1, his involvement is not yet established in any of the pending crimes with the Central Crime Station, Kadapa, and as such, there is no occasion for the Police to apprehend him either on 31.05.2006 or on any subsequent date. The other particulars have also been detailed in the counter affdiavit.

5. Having regard to the facts and circumstances of the case stated in the counter-affidavit of the first respondent, we are of the view that the allegations made in the fax message are not true and as such, the writ petition does not merit any consideration and is liable to be closed.

6. Accordingly, the writ petition is closed at the stage of admission.

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D.S.R.VARMA, J

15.06.2006

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P.SWAROOP REDDY, J